

CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH LUCKNOW .

## INDEX SHEET

CAUSE TITLE O.A. 391 of 1990 (U)

Name of the parties \_\_\_\_\_

Narain Saha

Applicant.

Versus.

Shri Nath & Co.

Respondents.

## Part A.B.C.

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File B/C need not / destroyed

So (S)

(A1)

Central Administrative Tribunal  
Circuit Bench, Lucknow  
Date of Filing: 3/12/90  
Date of Receipt: 3/12/90  
Deputy Registrar (J)

CENTRAL ADMINISTRATIVE TRIBUNAL  
CIRCUIT BENCH, LUCKNOW

Registration No. 391 of 1989/90 (2)

APPLICANT(S) Shri Narai Seth

RESPONDENT(S) Shri Nath (Post offices)

Particulars to be examined      Endorsement as to result of examination

- | <u>Particulars to be examined</u>   | <u>Endorsement as to result of examination</u> |
|---|--|
| 1. Is the appeal competent?   | yes  |
| 2. a) Is the application in the prescribed form?  | yes  |
| b) Is the application in paper book form?   | yes  |
| c) Have six complete sets of the application been filed?  | yes  |
| 3. a) Is the appeal in time?  | yes  |
| b) If not, by how many days it is beyond time?  | yes  |
| c) Has sufficient case for not making the application in time, been filed?  | no   |
| 4. Has the document of authorisation/Vakalatnama been filed?  | yes  |
| 5. Is the application accompanied by B.D./Postal Order for Rs.50/-  | yes  |
| 6. Has the certified copy/copies of the order(s) against which the application is made been filed?                                  | yes  |
| 7. a) Have the copies of the documents/relied upon by the applicant and mentioned in the application, been filed?                   | yes  |
| b) Have the documents referred to in (a) above duly attested by a Gazetted Officer and numbered accordingly?                        | yes  |
| c) Are the documents referred to in (a) above neatly typed in double sapte?   | yes  |
| 8. Has the index of documents been filed and paging done properly?  | yes  |
| 9. Have the chronological details of representation made and the out come of such representation been indicated in the application? | yes  |
| 10. Is the matter raised in the application pending before any court of Law or any other Bench of Tribunal?                         | no   |

(A2)

Particulars to be Examined

Endorsement as to result of examination

11. Are the application/duplicate copy/spare copies signed?
12. Are extra copies of the application and Annexures filed?
  - a) Identical with the Original?
  - b) Defective?
  - c) Wanting Annexures
  - How many pages Nos \_\_\_\_\_?
13. Have the file size envelopes bearing full addresses of the respondents been filed?
14. Are the given address the registered address?
15. Do the names of the parties stated in the copies tally with those indicated in the application?
16. Are the translations certified to be true or supported by an Affidavit affirming that they are true?
17. Are the facts of the case mentioned in item no. 6 of the application?
  - a) Concise?
  - b) Under distinct heads?
  - c) Numbered consecutively?
  - d) Typed in double space on one side of the paper?
18. Have the particulars for interim order prayed for indicated with reasons?
19. Whether all the remedies have been exhausted.

main copy

yes

yes

Union of India is not Party in this application

N.A.

yes

yes

N.A.

order No. 4

yes

yes

No

yes

findings

1. C. V. C. I is not party

2. Annexure is on both sides of the paper.

3.12.90

D. R.

Put up before the Hon. Bench

on 11/12 for orders.

3/12

3/12

(A3)

Hon. Mr. Justice K. Nath, VC  
Hon. Mr. K. Chayya AM

Put up tomorrow.

Am

VC

12-12-90

Hon. Mr. Justice K. Nath, VC  
Hon. Mr. K. Chayya AM

Put up tomorrow

Q

Am

VC

13-12-90

Hon. Mr. Justice K. Nath, VC  
Hon. Mr. K. Chayya AM

Heard the learned counsel for the applicant. Amendment sought is allowed. The applicant may incorporate the amendment within 24 hours.

ADMIT. Issue notice of the amended application to the respondents who may file counter within 3 weeks, rejoinder within one week thereafter. List for final hearing on 10-1-91. ~~interim matters~~ In the matter of interim relief the learned counsel for the applicant states that, as a consequence of the impugned transfer order dated 3.10.90 ~~the~~ ~~in applicant~~ Shri Ram Lakhan Singh joined the post held by the applicant immediately after and is continuing to hold the post till now.

AM

7.3.91 Case not reached. See K R  
Tripathi C. B. to present hear  
case is adj to 26.3.91

26.3.91 No sitting adj to 5.4.91  
2

DOC. M2  
24/3

S-4.91 case not reached adj to  
25.4.91

NO CH filed  
a belated 9/12  
NO RA filed  
24/3

26.4.1991

Hon. Mr. D.K. Agrawal, Jm.  
Hon. Mr. K. Oberoi, AM

25.4.91  
D.B.

Sri S.N. Shukla for the Applicant.  
Sri D. Chandra for the Respondents.  
Heard the learned Counsel of the  
parties on the merit of the  
Case. Judgment Reserved.

Both the parties are  
present today. In this  
case CA/B.A have  
been exchanged.  
Hence, this case is  
listed before the Hon.  
Bench for orders on  
25.4.91. Applicant files  
an application as M.P.  
No 239/91 (C) for final  
disposal of the case.

AM  
(NH)

De  
Jm.

copy of judgement  
a/c 26/4  
30/4/1991

R.L. 43  
J. B. 1/5/91  
Dx

(15)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH,  
LUCKNOW

O.A. 391/90

Narain Seth

Applicant

versus

Shive Nath & others

Respondents.

Hon. Mr. D.K. Agrawal, J.M.

Hon. Mr. K. Obayya, A.M.

(Hon. Mr. D.K. Agrawal, J.M.)

This application under section 19 of the Administrative Tribunals Act, 1985 is directed against the order of transfer dated 25.10.90 transferring the applicant from the post of Sub-Post Master Victoriaganj to the post of Postal Assistant at Post Office Rajendra Nagar, Lucknow.

2. The prayer is to quash the order of transfer dated 25.10.90 on the ground that it amounts to reduction in rank. It has also been urged that he has been transferred before completing his term of 4 years.

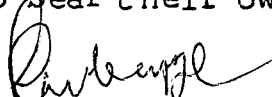
3. We have heard the learned counsel for the parties and considered the pleadings. The pay scale of Sub-Post Master and Postal Assistant is the same. We are informed that normally senior persons are given charge of small post office and designated as Sub-Post Master. Persons in the same grade are posted as Postal Assistant in bigger post offices. Therefore, it cannot be said that the transfer order amounts to reduction in rank. It may

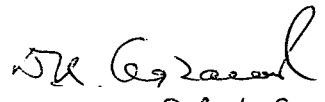
*Dr. Agrawal*

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be well said that the post of Sub-Post Master is higher in status than the Postal Assistant, but both the posts are of the same scale of pay. It is also true that the post of Sub-Post Master carries with it payment of licence fee at a station where rent free accommodation is not provided for in addition to House Rent Allowance. However, deprivation of the licence fee cannot amount to reduction in rank. In the circumstances we are unable to persuade ourselves to the submissions of the learned counsel for the applicant to the effect that the transfer as Postal Assistant amounts to reduction in rank. If so, the question is as to what relief the applicant is entitled to. We are of the opinion that a mere direction will serve the interest of justice in the instant case to consider the posting of the applicant to the post of Sub-Post Master in due course of time in accordance with his seniority and the rules applicable in this Department.

4. In the result, we allow this claim petition in part. We hereby direct the opposite parties to consider the question of posting of applicant as Sub-Post Master in the light of the observations made above. Parties to bear their own costs.

  
A.M.

  
J.M. 26.4.91

Shakeel/

Lucknow Dated: 26.4.91.

(P)

A

In the Central Administrative Tribunal, Allahabad,  
Bench ( Circuit Bench Lucknow ).

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Claim Petition No. 391 /1990. (C)

Narain Seth. ... Applicant/

Vs.S

Shiv Nath and others. ...Opp.Parties.

I N D E X.

| <u>Sl.No.</u> | <u>Particulars.</u>   | <u>Pages Nos.</u> |
|---------------|---|-------------------|
| 1.            | Claim Petition.   | 1 to 10           |
| 2.            | <u>annexure No.1,</u><br>Photocopy of Transfer order<br>dated 23.10.90.       | 11.               |
| 3.            | <u>annexure No.2,</u><br>Letter dt. 13.8.90.                                  | 12                |
| 4.            | <u>annexure No.3,</u> Copy<br>of Letter dated 13.8.90,<br>Telegrams No,J-2110 | 13.               |
| 5.            | <u>annexure No.4,</u><br>Photocopy of cash receipt<br>dt. 13.8.90.            | 14                |
| 6.            | <u>annexure No.5,</u> Copy of<br>F.I.R. dt. 13.8.90.                          | 15                |
| 7.            | <u>annexure No.6</u> Copy of Medical<br>report dt. 13.8.90                    | 16                |
| 8.            | <u>annexure No.7,</u> Copy of X-ray<br>report dt.18.8.90                      | 17                |
| 9.            | <u>Annexure No.8,</u> Notice dt.<br>16.11.1990.                               | 18                |
| 10.           | <u>Vakalatnama.</u>   | 19                |

Dated, 190

(S.N.Shukla) Adv.



A2

A8

In the Central Administrative Tribunal, Allahabad  
Bench ( Circuit Bench Lucknow ).

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Claim Petition No. 391 /1990. (C,

Narain Seth, aged about 46 years,  
son of Late Shri Ram Charan Seth,  
Resident D-238, Rajaji Puram, Lucknow,  
at present posted at Sub Post Office,  
Victoria Ganj, as Sub-Post Master.

(1) The Union of India, High. the Ministry of  
Communication versus. Rupa the S.P. Post  
Telegraph New Delhi

1. Shiv Nath, son of Gurdin (A.S.E), attach to  
the then A.S.P. Office of P.M.G.U.P., and  
officiating Post Master, Rae Bareilly) Now  
Superintendent Post Store Depo, Lucknow.  
R/o village and P.O. Munnu Khara, P.S. Maal,  
District Lucknow.

2. Shri S.D. Kureel, (the then Deputy Post Master  
Chowk Head Post Office) Lucknow and now Deputy  
Post Master, at Lucknow G.P.O.

3. Smt. Ram Lakshmi Singh present  
Sub Post Master Victoria Green Park

2  
Annexure  
was received  
on 12/12/90  
17/12/90

- 2 -  
~~Shri Chandra Laksh, son of not known,~~  
The Senior Superintendent of Post Offices,  
Lucknow Division, 226007.

... Respondents.

1. Particulars of the order against which the application is made:--

Transfer order dated 23.10.1990 passed by the opposite party no.3 transferring the applicant from the post of Sub Post Master Victoria Gungli, Lucknow to Rajendra Nagar Post Office as P.A. (Postal Assistant) which has resulted in the reduction of the applicant's Rank and has also resulted a recurring loss of about Rs.200/- per month.

2. Jurisdiction of the Tribunal:--

The applicant declares that the subject matter of this application lies within the jurisdiction of this Hon'ble Tribunal. The redressal of the grievance is completely within the jurisdiction of this Hon'ble Tribunal.

3. Limitation:--

The applicant further declares that the application is within the limitation period prescribed in the Section 31 of the Administrative Tribunal Act, 1985.

4. Facts of the Case:--

it filed today  
3/12

9/11/98

AM

① That on 13.3.1990, when the petitioner was posted as Sub-Postmaster of Victoriaganj, Post Office, an amount of Rs.50,000/- ~~was~~ remained to be deposited after the ordinary and routine transaction of the Post Office. In a routine manner the case were is suppose to reach the Post Office at are about 3.00 P.M. to collect the cash and transport it to the respective Head Post Office where it is to be deposited in the Treasury. On that day the applicant, ~~stated~~ waited for the Van to 6.00 P.M., but in vain. It is worth mentioning here that between 3.00 and 6.00 P.M. the applicant made four telephone call to the office of the opposite party no.3 namely Post Office Chowk and also sent one written reminder, but the opp. party no.3 failed to comply with the request which was as obligatory part of his official duty.

② That having waited upto 6.00 P.M. and finding no Van the applicant was left with no alternative but to carry the cash himself to the Chowk Post Office. The applicant took one of the Assistant and one Class IVth employee alongwith himself and in the face of all personal risks involve in this daring venture he reached the Post Office-Chowk at about 7.00 P.M. It is worth mentioning here that the month of October was a very disturb period and the venture of the

Amrutha

applicant was fraught with great danger to his life. However, as a faithful Public Servant he risked his life in the discharge of his duty.

(3)

That the applicant having entered in the Post Office kept the money ~~box~~ on the Counter and requested the Cashier to deposit the same, while his request was being made to the Cashier Shri Kureel Deputy Post Master arrayed as opp. party no. 2 reached the counter and interfering in the matter asked the Cashier not to accept the cash. Meanwhile, the Cashier called me inside and I entered there with the cash. After this Shri Kureel became irritated and man handling the applicant tried to push him out of the cash office. He asked the applicant to take back the cash to Victoria Ganj Post Office, prepared one receipt and then come back with the cash. Meanwhile, because it was getting late, the Assistant of the applicant who was a lady left the Post Office premises for her residence.

(4)

That the applicant requested Shri Kureel that it is neither possible nor safe to go back to the Victoria Ganj Post Office at this late hour and in these disturb days. He requested him to get the cash counted and deposited. The small matter of receipt involving only the payment of convenience charges could be decided later on.

applied

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however, the opposite party namely the Dy. Post Master did not agree, ~~while Shri Kureel was~~

5

while That Shri Kureel was dragging the applicant out of cash office Shri Shiv Nath - respondent no.1 came and gave one blow at the <sup>nose</sup> ~~back~~ of the applicant as a result of which the applicant started bleeding, while the applicant was bleeding Shiv Nath opposite party no.1 snatched the cash from the applicant and also the cash in his pocket and hand and threw it at the floor of the cash office. Meanwhile, the applicant took ~~out~~ of his shirt and rapped round his nose which was profusely bleeding.

6

Having regain consciousness the applicant wrote a Telegram <sup>address to</sup> to the Senior Superintendent o.P.3 and also to Director Postal Services and Chief P.M.G. Lucknow by name. A copy of the Telegram is annexed herewith.

7

That meanwhile Shri Kureel Telephone to the Director Post Offices alleging that the applicant was quarreling in the cash office. The Director ordered him to accept the cash and assured him that rest of the matter would be looked into afterwards. It was after this direction that the cash was accepted at 9.00.P.M. In the mely the Gold Chain of the applicant was

annexed

A  
13

- 6 -

AD

it  
brocken. However, he picked up from the ground  
where it was lying. The cash was counted ultimately  
and found short of Rs.200/- which the applicant  
make good from his ~~own~~ own pocket. The petitioner  
having deposited the cash came out of the office  
alongwith his class IVth employee, lodged an F.I.R.  
in the Kotwali Chowk and also got him Medically  
examined in the Balrampur Hospital. Copies of  
the F.I.R. and the Medical Report are annexed  
herewith as Annexures to this petition.

0. (9)

That here at this stage it is worthwhile  
mentioning that opp party no.1 namely Shiv Nath  
was posted at Age Bareli but for the reasons best  
known to him he was at the Chowk Post Office without  
any reason. It is also worth mentioning here  
that backs of Currency Notes have disappeared  
from the Chowk Treasury previously involving huge  
amount during the regime of the present Supdt.  
Post Offices.

0 (9)

That the next day the applicant submitted  
written report of the case to his officers namely  
o.p.no.3 and also to the C.R.M.G. and D.P.S.  
Lucknow. As a result of which an enquiry of a  
very formal nature was started. A complaint  
Inspector came to the applicant to narrated the  
entire fact to him and it is expected that he

नम्र १०५०१६

must have given his report. However, the petitioner/applicant has not recieved any copy of the Enquiry Report instead he got his transfer order dated 25.10.1990 which is impugned here.

10 That at this stage, it is also worth-mentioning that it is a tenure post from which no body can be transferred from his place. The applicant has been at this post for about a year only and has been transfereed which has resulted in reduction of his rank as well as the monatery loss.

Am. Cope 17.12.10  
Grounds For Relief with Legal Provisions:-

- A. The transfer has been made with malafide intentions and is a punishment and it is well establish principle that no person can be punish unless charges of framed against him and he is given a chance to defend himself.
- B. It has resulted in the reduction of his rank as well as financial loss and this could not be done unless opportunity to show cause was given.
- C. The applicant has not been supplied the copy of the Enquiry Report.

account

- 8 -

which is violation of the principles of natural justice.

- D. That infliction of a punishment without giving an opportunity is against the principles of Article 311 (2) of the Constitution of India.

6. Details of Remedies Exhausted:-

The applicant declares that department remedy available exhausted in the shape of representation to:-

- i) The S.S.P. Lucknow,
- ii) The D.P.S., Lucknow.
- iii) The P.M.G. in Chief.

7. Matters not previously file or pending with any other court:-

The applicant also declares that the matter has not been previously agitated ~~the~~ before any court or Tribunal.

8. Reliefs Sought:-

In view of the facts mentioned in para 6 of the application the applicant most respectfully prayed to this hon'ble court to:-



a. *d* to quash the order of transfer dated 25.10.1990 transferring the applicant from his tenure post. *h*

b. any other relief that the Hon'ble tribunal deems fit in the circumstances of the case including the ~~extra~~ cost of the petition may kindly also be passed.

9. Interim Order Sought:-

It is requested that as a interim measure the transfer order dated 25.10.1990 may kindly be made inoperative during the pendency of this petition before this Hon'ble Court.

10. Not applicable.

11. Particulars of the Bank Draft attached with Application:-

I.P.O.No.bearing No.B 02 415989,  
dt. 29.11.1990 issued from High Court Bench  
Post Office, Lucinow.

12. List of Enclosures:-

1. Transfer Order, dated 23.10.1990.
2. Letter dated 13.8.90
3. Telegrams No. J- 2110, dt. 13.8.90.
4. Cash receipts dt. 13.8.1990.

- 10 -

5. F.I.R., dated 13.8.1990.

6. Medical Report dated 13.8.90.

7. X-ray report dt. 18.8.1990.

8. Notice dated 16.11.1990.

Lucknow; Dated

, 1990


  
Applicant.

Verification

I, the above named deponent do hereby  
verify that the contents of paras 1 to  
are true to my personal knowledge and paras  
are based on  
record and paras are based  
on legal advice. No part of it is false and nothing  
material has been concealed. S

Lucknow; Dated

, 1990

  
Applicant.

I, identify the deponent who has  
signed before me.

  
Advocate.

(11)

A/12

DEPARTMENT OF POSTS

पंजीकृत

REGISTERED

OFFICE OF SR. SUPDT. OF POST OFFICES, LUCKNOW DIVISION.

MEMO No. B-320/Loose Dated at Lw-7, the, 23/10/90

The following transfers and postings are hereby ordered in the interest of service with immediate effect :-

1. ✓ Shri Narain Seth, SPM Victoria Ganj P.O. Lucknow is hereby transferred and posted as P.A. Rajendra Nagar on administrative ground vice No.2.
2. Shri Ram Lakhan Singh, P.A. Rajendra Nagar P.O. is hereby transferred and posted as SPM Victoriaganj P.O. Lucknow.

Official at sl.no.2 will be relieved immediately and will relieve the official at No.1 without delay.

Usual charge report should be submitted to all concerned.

*Unad*  
23.10.90

Sr. Supdt. of Post Offices,  
Lucknow Dn, Lucknow-226007

Copy to :-

1. The officials concerned.
2. PFs of the officials.
3. The Sr.P.M. Chowk HO Lkw-3.
4. The S.P.M. Rajendra Nagar/Victoriaganj P.O. Lucknow.
5. u/c & spars.

*Unad*

Chief P.M. G. P. No. Jny / M-72 / 90/14. DT 5-11-90  
14 RT 55 Pcs B-320/MISE/7-11-90

*TR*  
*Attested*

*Signature*  
2/12

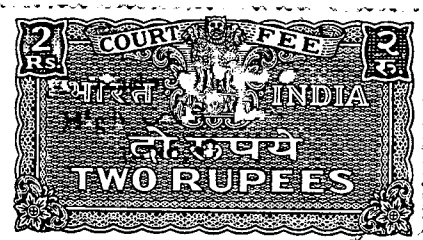
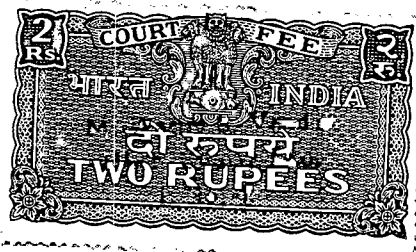
19

व अदालत श्रीमान  
(वादी अपोलान्ट)  
प्रतिवादी [रेस्पान्डेंट]

CAI Circuit  
Bunhtk

महोदय

वकालतनामा



वादी (अपोलान्ट)

Narain Singh - Applicant  
Subd. P. S. of P. S. Chakraborty - प्रतिवादी रेस्पान्डेंट

नं० मुकद्दमा सन् पेशी की ता० १६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री Sadanand Singh

Adv. 2109 P. S. K. P. S. Chakraborty

व Chakraborty K. P. S. L. S. P. S. 22003

वकील  
महोदय  
एडवोकेट

नाम अदालत  
मुकद्दमा नं०  
नाम फरीकन

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पेरवी व जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटाव या हमारी ओर से डिगरी जारी करावें और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करे मुकद्दमा उठावे या कोई रुपया जमा करें या हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अथवा मुकद्दमा अदम पेरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

Accused  
Signature

Signature  
हस्ताक्षर

साक्षी (गवाह) साक्षी (गवाह)

दिनांक महीना सन् १६ ई०

संबोधित

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(9/A)

दूर संचार विभाग  
DEPARTMENT OF TELECOMMUNICATIONS  
अन्तर्देशीय तार/Inland Telegram

|  |   |  |  |                                     |
|--|---|--|--|-------------------------------------|
| सेवा निर्देश (जैसे सहायी<br>सरकारी, हवाई)<br>Service Indication<br>(e. g. Reply Paid, State<br>Guarantee)<br><b>CONFIRMED TRUE COPY</b><br>19/9<br>संलग्न तार पर प्रेषण<br>10/9/00 | प्रभार<br>Charges<br>40/- रू. p.<br>19/9<br>संलग्न तार पर प्रेषण<br>10/9/00 | (भारतीय तार अधिनियम और नियमों के अधीन<br>पारेषण के लिए प्रस्तुत। तार सेवा भंग होने से<br>इस तार का पारेषण या वितरण प्रभावित हो<br>पर उससे उत्पन्न होने वाली या उसके परिणाम-<br>स्वरूप किसी हानि क्षति या नुकसान की क्षति-<br>पूर्ति देने के लिए सरकार जिम्मेदार नहीं है।)<br>(Presented for transmission subject to Indian<br>Telegraph Act & Rules. The Government is<br>not liable to make compensation for any loss,<br>injury or damage arising or resulting from any<br>failure of service affecting transmission or<br>delivery of this telegram). | भेजने के ब्यौरे<br>Sent Particulars<br><b>CONFIRMED TRUE COPY</b><br>10/9/00 | तारीख मोहर<br>Date Stamp<br>10/9/00 |
|--|---|--|--|-------------------------------------|

श्रेणी Class 2110 अ 60 लेखन ऊ चौक 13/8 तीन पते 53/60  
समय Time  
सं No  
मूल तारघर Office of Origin  
तारीख Date  
सेवा अनुदेश  
शब्द Words

1. श्री यम यन फारुकी पोस्ट जनरल लेखन ऊ  
2. श्री कमलेश चन्द्र रीजनल डॉक्टर पोस्ट लेखन ऊ  
3. श्री चन्द्र प्रकाश प्रवर डाक अधीक्षक पोस्ट लेखन ऊ

यस डी. कुरील डिप्टी पोस्ट मास्टर चौक खजाने में सरकारी  
कुंश लेने से इन्कार कर दिया बुरी तरह शिवनाथ के साथ  
मुंह में मारकर नाक तोड़ दिया। तुरन्त प्रभावी कार्यवाही  
प्रार्थनीय दो सौ रुपये जैब से तथा सोने की चेन निकाल ली  
है।

नारायण सेठ उपडाक पाल  
बिकटोरिया गंज लेखन

भेजने वाले/आजरे/Sender's Signature  
नाम/Name  
पता/Address  
तार से न भेजा जाए  
Not to be telegraphed

G. L. Posters Ltd.

Handwritten signatures and notes at the bottom of the page.

## 58

સાહુ-હિંચી જાન

दियोड दिने जाये या दिनांक सत्रा समय 13/9

२२-१०-२०१७  
श्री. जगदीश चरण शर्मा, निवासी, १०१, गंगा नगर,  
पुणे-४११००४

① रु. १००/- कुशीम, दि. १०/११/१९८०  
② मि. १००/- कुशीम, दि. १०/११/१९८०

पुनः चरणात् १३/१० दिनां ७.३०

सन् १९५२ फरवरी १५ तारीख  
१९५२ फरवरी १५ - १९५२ फरवरी १५

[illegible][illegible][illegible][illegible]

16

17

Chief Master Seth aged 48 yrs. lat. Ben Charan  
Seth. R/o. Post Math Victoria g. No. Baza. Bazar. 8/12. 13. 90 at 11.50 PM.

HT. Black with a little grey. Body free from any spots or lesions.

Sp. ① Counters 2x2x2 all over the body, more on the chest and  
front in both hands and feet.

② Abdomen 2x2x2 all over the body, more on the chest.

③ Abdomen 2x2x2 all over the body, more on the chest.

④ Abdomen 2x2x2 all over the body, more on the chest.

Clot pain chest, back, left knee no visible signs of  
swelling, are soft, pain by palpation of the chest.

① Chest and spine.



12  
13

Dr. M. N. Siddiqui  
M.D.  
Emergency Medical Officer  
Badrampur Hospital, Lucknow

*[Signature]*

13.9.90

Dr. M. N. Siddiqui

M.D.  
Emergency Medical Officer  
Badrampur Hospital, Lucknow

*[Signature]*

*[Signature]*

*[Signature]*

BATHURAMPUR HOSITAL,

X-ray No.

RECEIVED

Date \_\_\_\_\_

# BALRAMPUR HOSPITAL

三三三

Received Re. 202.100.000.000  
on A/c. of X-ray. Memo. 130 on 10-2-70  
(B. T. 100.000.000)

2000

**Radiologist**  
**Balrampur Hospital**  
**Dussehra,**

Madam, Delhi 4/8/9, H/14-5/6

15) Pan Cliza Juli D - 2005

Dejij, Kusanaka

11/2/20

M<sup>9</sup> Black smite on the left side of face  
just away from right side of  
nose.

X-Pay me - N/A

12/8/20

1

Lee, L. J. & M. J. Lee





- गोपिनाथ -

18

18

सेवा में,

श्रीमान्, बामबोर्डिंग हाउस कारका, बम्बे

साहब

चीफ पोस्टमास्टर जनरल  
उत्तरप्रदेश, लखनऊ - 226001

निवेदन है कि दि० 13-8-90 को प्रधान डाकदार-  
चीफ स्वजान के भीतर हुई घटना में जादिकारी श्री बीबी  
सुं । मामलें में विभाग द्वारा ब्यापन न मिलने से निराश प्रार्थी  
आपको सूचित करता हूँ कि, इस मामले को एक साप्ताहिक भीतर  
ही, ब्यापकता में देखाने की अनुमति प्रदान करने की कृपा  
करें ।

प्रार्थी,

नारायणसेठ

दि० 16. 11. 1990.

उप डाकपाक, विन्डोरियागंज  
डीकवर, लखनऊ - 226004

नारायणसेठ

*[Handwritten signature]*

*[Handwritten signature]*  
16.11.90

C. A TO CHIEF  
P. M. S. U. P.

G/Rg

#29

A/25

Government of India,  
Ministry of Communication  
Department of Posts  
Sanchar Bhavan, New Delhi

No.22-6 / 84 - CI

Dated 19.11.85

All Heads of Postal Circles

Subject:- Raising of limits for remittances of cash by various modes of conveyance.

....  
Rule 583-A of P&T Manual Vol.VI Part-III prescribes the limits for remittances of cash by different modes of transport such as Railways, Motor Vehicle Tangas, Boats etc., due to erosion in the value of money over the years. The maximum limit for carrying cash without police escorts was enhanced from Rs.10,000/- to Rs.15,000/- vide this office letter No.22 -6/ 84- CI dated 24.1.85 the question of raising the line limits for remittance of cash through various modes was under examination by this Directorate. It has now been decided to raise the various line limits for remittances of cash various modes of conveyance. And substitute them in the table below Rule 583-A of Mx P&T Manual Volume -VI Part-III as under:-

| Sl. No. | Mode of conveyance/<br>category / Carrier  | On Railway/ Steamer/<br>Mail Motor Mail and<br>Jatka Line | On foot including<br>cycle line |
|---------|--|---|---------------------------------|
| 1.      | 2.   | 3.  | 4.                              |
| 1.      | In cash bag enclosed in mail account or B.D.Bag  | Rs.15,000   | Rs.10,000                       |
| 2.      | Loose Incharge of an Overseer  | Rs.40,000   | Rs.25,000                       |
| (i)     | Head Postman, who had furnished security for Rs. 750/- accompanied by any official mentioned in this item and who has furnished the required security. |   |                                 |
| (ii)    | Loose Incharge of any Overseer, /Head Postman who has furnished security for Rs.750/- travelling along   | Rs.21,000   | Rs.12500                        |
| (iii)   | Loose Incharge of an Postman who has furnished security for Rs.750/- travelling alone  | Rs.16,500   | Rs.8,500                        |

Continued...2/-

NOTE-7 A Police escort should normally be provided where the remittance is exceeded Rs.50,000/-

NOTE-8 In case a remittance conveyed by Inspector exceeding Rs.20,000/- they should be accompanied by their orderlies or any other Departmental official except when travelling by trains or bus when separate classes of accommodation are provided, Amendment to the rule is being issued separately

This issues with the approval of Finance Advisor (Postal) vide their Dy.No. 3406/FA.P/ 85 dt.4.9.1985

Yours faithfully,

Sd/- ( Subhash C. Jarodia )  
Assistant Director General(Tech)

No.Tech. A/ R-1/ Vol. VI/V dt.at Lucknow, the 12.12.1985  
Copy for information, guidance and necessary action to :-  
1. All the Director Postal Services in U.P.Circle  
2. All S.S.P.Os /All S.P.Os in U.P.Circle  
3. Chief Postmaster Lucknow/ Kanpur etc- etc.

Sd/ R.Sahai,  
for Postmaster-General,U.P.

No.18.II/A/Balance /85- Dt.at Lucknow-226003 the 2.1.1986  
Copy for information, guidance and necessary action to:-

REGISTERED 1. A.S.P.Os (South)/ ( North)/( West) Sub Division, Lw  
REGISTERED 2. S.B.D.O. o/o S.S.P.Os Lucknow  
REGISTERED 3. The S.D.I.(East) Sub Division, Lucknow.  
4REGD 4. All Overseers in Lucknow Division  
5. 5. Postmaster Lucknow GPO/ P.M.Lucknow Chowk HO.  
REGD 6. All S.P.Os in Lucknow Division

Senior Supdt. of Post Office  
Lucknow Division  
Lucknow-226003

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD  
CIRCUIT BENCH LUCKNOW

D.A. NO 391 OF 1990

Narain Seth.....Applicant

Versus

Shri Nath and Others.....Respondents

A f f i d a v i t

I, P.N.Singh , aged about 55 years, son of Shri Musafir Singh, Senior Postmaster, Lucknow Chauk Head Post Office, Lucknow do hereby solemnly affirm and state on oath that the letter dated 13.8.90 bearing the Victoriaganj Post Office date stamp of 13.V.90 addressed to me for arranging cash lorry was not received by me or in my office at all. Neither did I receive any verbal request from Shri Narain Seth or through any other person on 13 August '90 for sending cash lorry to Victoriaganj Post Office.

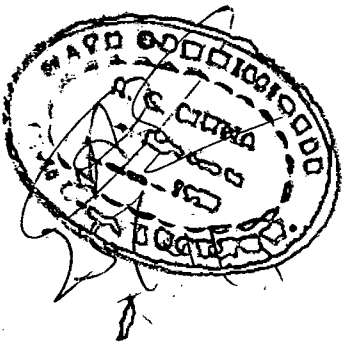
*P.N. Singh*  
Deponent

I, P.N.Singh, verify that the contents of the above para are true to my personal knowledge and belief and are also based on office records which I believe to be true. So help me God.

*P.N. Singh*  
Deponent

*I identify the deponent who has signed before me.*

*J. Chandra*  
Advocate



*P.N. Singh*  
*D. Chandra*  
*J. Chandra*  
OATH COMMISSIONER  
CIRCUIT BENCH LUCKNOW

CE NTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD

CIRCUIT BENCH

LUCKNOW

C.M. Application No. of 1991

Inre

O.A. No. 391 of 1990

Narain Seth

Applicant.

versus

Shri Nath & others

Respondents.

APPLICATION FOR CONDONATION

OF DELAY IN FILING COUNTER

.....

The Counsel for the respondent begs  
to submit as under:

That the delay in filing the counter  
affidavit is due to administrative procedure and  
not intentional.

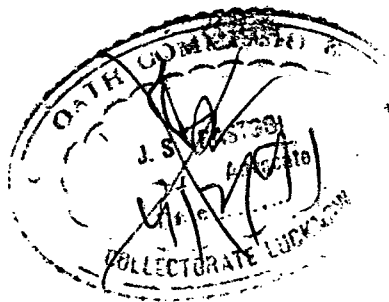
Therefore, it is most respectfully prayed  
that the delay in filing the counter reply may  
kindly be condoned and the counter affidavit may  
be taken on record.

Lucknow

(Dr. Dinesh Chandra)

Dated: 5.2.91

Counsel for Respondent No. 3



Filed today  
5.2.91

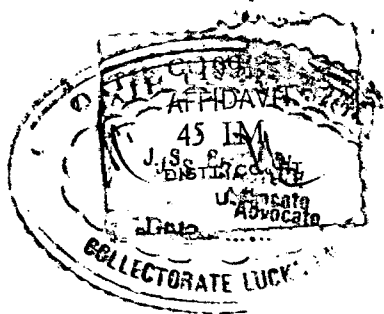
132

18/9

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

CIRCUIT BENCH

LUCKNOW



Counter Affidavit on behalf of  
Respondent No. 3.

In

O.A. No. 391 of 1990.

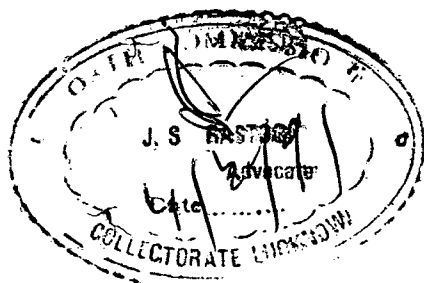
Narain Seth

Applicant.

versus

~~Union~~ Shri Nath & others

Respondents.



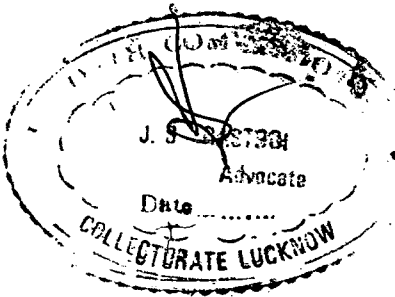
I, Chandra Prakash, aged about 35 years,  
son of Shri N.P. Verna, Senior  
Superintendent of Post Offices, Chowk, Lucknow do  
hereby solemnly affirm and state as under:

1. That the deponent has read the application  
filed by Shri Narain Seth and has understood the  
contents thereof.
2. That the deponent is well conversant with  
the facts of the case deposed hereinafter.

433

1/29

3. That the contents of para 1 of the application are admitted to the extent that the applicant was transferred by the department from Victoriaganj sub post office to Rajendra Nagar Post office as Postal Assistant. Rest of the contents are denied. There has been no reduction of rank of the applicant<sup>in</sup> his new assignment as the pay scale of both the posts are the same i.e. Rs 1400-40-1800-EB-50-2300. While posted as Sub Post Master ~~Wizya~~ Victoriaganj, the applicant was entitled to receive Rs 85/- per month as Licence Fee in lieu of rent free accommodation.



4. That in reply to the contents of para 2 of the application it is stated that the applicant has not exhausted the departmental remedies available to him for the redressal of his grievance before coming to this Hon. Tribunal for relief. The proper course for him was to appeal against the order of his transfer to higher authorities, viz. Director Postal Services, Lucknow Chief Post Master General, U.P. Circle, Lucknow and Director General Deptt. of Posts, New Delhi. The application, therefore, deserves to be dismissed outright.

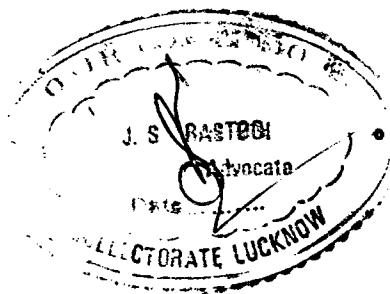
5. That the contents of para 3 need no comments.

43.1

A  
31

6(i) That in reply to para 4 of the application it is stated that the applicant was posted as Sub Post Master, Victoria ganj sub post office w.e.f. May, 1989. On 13.8.1989 he did not remit the excess cash amounting to Rs 50,000/- to the Head Office, Chowk, Lucknow through ~~the~~ the overseer. Instead he personally carried and brought the said amount to the Head Office at 7.30 p.m. on 13.8.90. Neither did he utilise the cash van of the Department for this purpose. There is nothing on record to indicate that the applicant made any request, written or verbal to Chowk Head office for sending Cash van for transporting the said excess amount from Victoria-ganj sub post office to the Head office, Chowk. It was indiscreet on his part to carry so much of Govt. money at 7.30 pm. especially when, as per his own averment, it was a very disturbed period and the <sup>“</sup>venture of the applicant was brought with great danger to his life.”

6(ii) That the applicant has concocted a story of all that happened in the Head office during the course of depositing the cash. The fact of the matter is that the applicant wanted the signature of the cashier on three challans, two challans for Rs 20,000 each and one for Rs 10,000/- although the cash was brought by only one person.



x  
handed

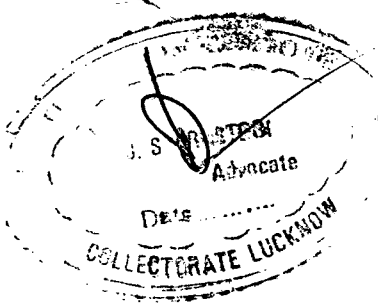


1735  
A/S

namely the applicant and in one transaction only. This was refused by the cashier and the objection of the cashier was sustained by the treasurer and the Dy. Post Master, Shri S.D. Kureel. An altercation ensued and the applicant misbehaved and abused the cashier and Shri Kureel. The matter was reported to the ~~Senior Superintendent~~ <sup>Director, Postal Service</sup> of Post Offices, Lucknow on phone. However, <sup>on his directions</sup> the cash was deposited. The matter was then reported in writing to the department by the Senior Post Master Chowk, Headquarter.

The applicant had also sent a telegram to the Deponent which was received in his office on 16.8.90. It contained a complaint against Shri S.D. Kureel, the Dy. Post Master and Shri Shivnath. Both the complaints, one from the Senior Post Master ~~and Shri Shivnath Chowk~~ and the other from the applicant were enquired into. The applicant was found at fault and his complaint against the Dy. Post Master, (Shri Kureel) was found to be false. A copy of the Enquiry report was not given to the applicant as no penal action under the provisions of CCS(CCA) Rules, 1965 was contemplated.

6(iii) That the applicant filed F.I.R. also with the police about the incident and also obtained medical report from the medical authorities with mala fide intention. The incident of chain snatching



Heard

A36

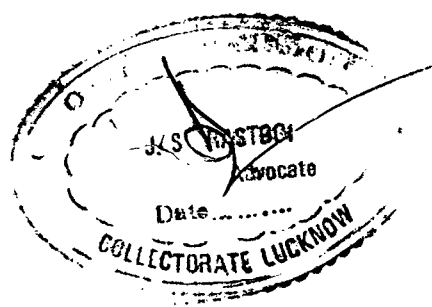
13/3/33

is also concocted. Shortage of Rs 200/- which was detected at the time of depositing the cash was made good by the applicant then and there. The applicant ~~was~~<sup>has</sup> to deposit the short cash intentionally.

6.(iv) That according to Rule 60 of the Posts and Telegraphs Manual Vol. IV, the post of a non-gazetted sub-post master (time scale) should not ordinarily be occupied by the same official continuously at a time for more than four years. Four years is the maximum period of posting for a post master but in public interest the incumbent can be transferred even before the maximum period of four years. ~~As~~<sup>✓</sup> The transfer of the applicant ~~is~~<sup>is</sup> from Victoriaganj to Rajendra-Nagar which is hardly at a distance of 2 Kms.

7. Comments on sub paras of para 5 of the application are furnished below in seriatim:

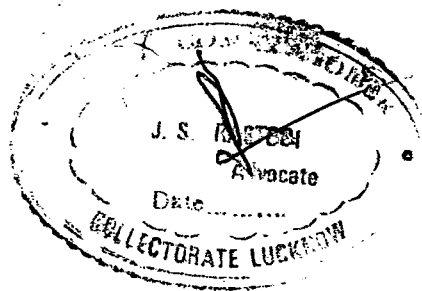
5-A. Contents denied. Transfer of the applicant from Victoriaganj to Rajendranagar Post office has been made in public interest without any malafide intention. It is not penal in nature. The grade and the scale of pay of the sub post master and that of a postal assistant are the same.



Handed

A37  
A/34

5-B Contents are misconceived. There is no difference between the rank of a sub-post master and that of a postal assistant as the pay scale of both the posts are the same. As there was no reduction in rank by transferring the applicant from the post of Sub post master to that of a postal assistant, it cannot be construed as a punishment and hence no show cause was required. It was an administrative arrangement in public interest.



5.C Contents denied. The impugned order was not penal in nature and no action under the provisions of CCS(CCA) Rules, 1965 was **taken** on the basis of the enquiry report. Accordingly, a copy of this enquiry report was not required to be furnished to the applicant.

5.D No comments. The transfer of the applicant from the post of sub post master, Victoriaganj to Rajendra Nagar post office as postal assistant is not penal in nature and does not require any show cause notice.

5.E That the contents of para 6 are denied. The applicant has not made any representation against his transfer to the higher authorities of the department. He has not availed of the

A30

4/2/91

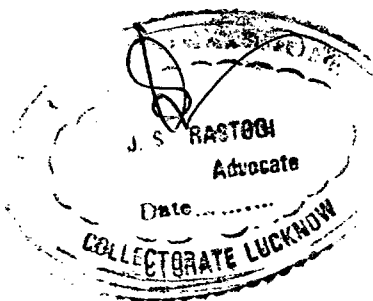
departmental remedies available to him for the redressal of his grievance.

9. That the contents of para 7 of the application need no comments.

10. That in view of the submissions made in the above paragraphs the reliefs sought for in the para 8 of the application are not admissible.

11. That in reply to para 9 of the application it is stated that vide order dated 13.12.1990 this Hon. Tribunal rejected the prayer for interim relief.

12. That the contents of para 10 to 12 need no comments.



\* *[Signature]*  
Deponent. 4.2.91

#### Verification

I, the deponent named above do hereby verify that the contents of paras 1 to 2 are true to my personal knowledge and those of paras 3 & 4 are believed to be true by me on the basis of record and legal advice. No part of it is false and nothing has been concealed. So help me God.

\* *[Signature]*  
Deponent. 4.2.91

AS

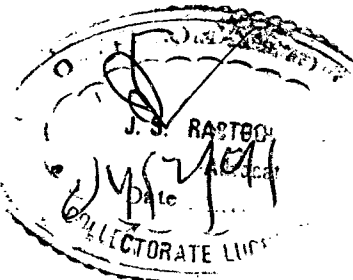
AS9

I identify the deponent who has signed  
before me.

J. G. S.  
A DEACATE

Solemnly affirmed before me by the  
deponent Shri Chandra Prakash on  
at am/pm, who is identified by Shri  
Advocate.

I have satisfied myself by examining  
the deponent that he understands the contents of  
this affidavit which have been explained to him  
by me.



11:55 AM  
Shri Chandra Prakash  
who is identified by Shri  
Advocate  
I have satisfied myself by examining the  
that he understands the content  
and has explained to him  
Fe: 1-50  
J. S. RASTOCHI  
Advocate, Oath Collector  
14/2/91

ब अदालत श्रीमान  
(पदी अपीलान्ट)  
प्रतिवादी [रेस्पाडेन्ट]

श्री...  
Central Prison, Lucknow

महोदय

वकालतनामा

Amo

टिकट

वादी (अपीलान्ट)

Moran Seth

बनाम श्री... (प्रतिवादी रेस्पाडेन्ट)

नं० मुकद्दमा 391 सन् 1990 (2) पेशी की ता०

१६ ई०

ऊपर लिखे मुकद्दमा में अपनी ओर से श्री... (चान्सेलर)

व... (स्टैंडिंग कौन्सिलर) वकील महोदय एडवोकेट

को अपना वकील नियुक्त करके प्रतिज्ञा (इकरार) करता हूं और लिखे देता हूं इस मुकद्दमा में वकील महोदय स्वयं अथवा अन्य वकील द्वारा जो कुछ पैरवी व जवाबदेही व प्रश्नोत्तर करें या कोई कागज दाखिल करें या लौटाव या हमारी ओर से डिपरी जारी करावें और रुपया वसूल करें या सुलहनामा व इकबाल दावा तथा अपील निगरानी हमारी ओर से हमारी या अपने हस्ताक्षर से दाखिल करें और तसदीक करे मुकद्दमा उठावे या कोई रुपया जमा करें या हारी विपक्षी (फरीकसानी) का दाखिल किया हुआ रुपया अपने या हमारे हस्ताक्षर युक्त (दस्तखती) रसीद से लेवे या पंच नियुक्त करे—वकील महोदय द्वारा की गई वह सब कार्यवाही हमको सर्वथा स्वीकार है और होगा मैं यह भी स्वीकार करता हूं कि हर पेशी पर स्वयं या किसी अपने पैरोकार को भेजता रहूंगा अगर मुकद्दमा अदम पैरवी में एक तरफा मेरे खिलाफ फैसला हो जाता है उसकी जिम्मेदारी मेरे वकील पर नहीं होगी इसलिए यह वकालतनामा लिख दिया प्रमाण रहे और समय पर काम आवे ।

नाम अदालत...  
मुकद्दमा नं०...  
नाम तफरीकन...

हस्ताक्षर...

हस्ताक्षर... प्रवर डाक अधीक्षक  
Sr. Supd. of Post Offices  
Lucknow Division 22607

21.9.91

साक्षी (गवाह) ... साक्षी (गवाह) ...

दिनांक ... सहोना ... सन् १६ ई०

एवीकृत

(A41)

136

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL AT ALLAHABAD

LUCKNOW.

Try. Form No. 385

RECEIPT FOR PAYMENT TO GOVERNMENT

(Form No. 1, Chapter III, Paragraph 26, Financial Handbook, Volume V, Part I)

High Court of Judicature at Allahabad (Lucknow Bench)

099438

of 1991.

Place Allahabad Date 24-2-91

Department and office High Court Allahabad

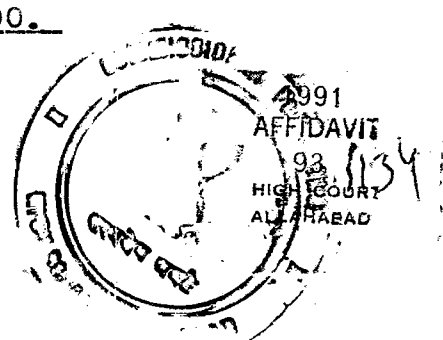
Received from Shri Ram Charan Seth  
the sum of Rupees Rs 21

on account of Narain Seth  
CF

Signature of Government Servant granting the receipt

Cashier or Accountant.

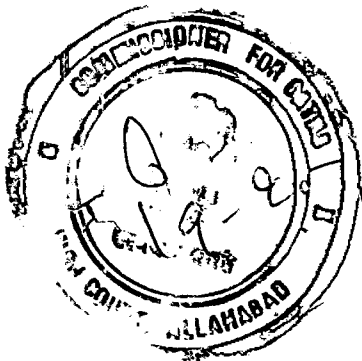
Designation



Applicant.

Shri Nath and others. ... Respondents.

Rejoinder Affidavit to the Counter-Affidavit filed by opposite party no.3.



Filed today  
24/2/91

AC 11116

I, Narain Seth, aged about 46 years, son of Late Shri Ram Charan Seth, Resident of D-288, Rajaji Puram, Lucknow, the deponent at present posted at Sub Post Office, Victoriaganj, as sub-post master, do hereby solemnly affirm and state on oath as under:-

1. That the deponent himself is the petitioner and is fully conversant with the facts and circumstances of the case. It is also stated that the deponent has read the counter-affidavit under reply and understood it fully.

2. That the contents of paras 1 and 2 of the

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- 2 -

affidavit under reply need no comment.

3. That the contents of para 3 ~~is~~ are admitted to the extent of the admission of the fact of transfer. The rest are denied. The deponent of the counter-affidavit under reply himself admits that the petitioner will get Rs.85/- which he was getting in lieu of the fact that he was holding the post of the Postmaster and admittedly therefore, 85/- per month recurring loss would be due to the petitioner. It is further submitted that from the post of Postmaster, the petitioner has been sent to the post of a clerk. And therefore, it is, a reduction in rank because, reduction in rank does not mean only the financial aspect, it is also enclosed the power, prestige and glamour of the post. As Post Master, he has several clerks under him whereas as a clerk he will be under the Post Master. With these averments the contents of para 1 of the applicant are restressed with greater emphasis.



4. That the contents of para 4 of the affidavit under reply are absolutely false and incorrect. The petitioner has appeal to the higher authorities which will be clear from the annexures of the representation which have been sent to the officer concerned. Photostat copies of the telegram and representation to the Senior Superintendent and Director Post Offices and the Chief Post Master are annexed herewith as Annexure no.1 to this reply. However, in this very

Annexure no.1



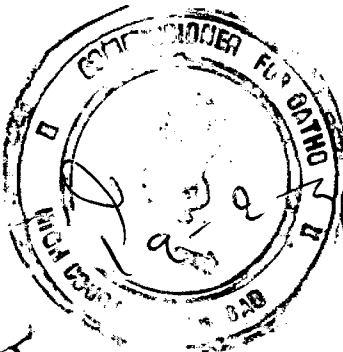
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- 3 -

connection, assuming without admitting, that the alternative remedy was not exhausted, it is, most respectfully submitted that the existence of all alternative remedy does not put an absolute bar on the courts to admit petitions if it is essential in the interest of efficacious and speedy justice.

5. That the contents of para 5 ~~are~~ need no comments.

6. That the contents of para 6-A are absolutely false, incorrect and a deliberate attempt to deceive the court, it is really surprising that the opposite party has stated that the petitioner did not send the cash through his oversier. It is stated with great emphasis that there is no oversier in the Post Office under the applicant. The Oversier is posted with the S.S.P. and he is expected to reach with the cash Van by 3.00 P.M. to the Post Offices under him.



7. That it is again strange that the deponent has charged the petitioner with not using the cash Van whereas the ~~correct~~ fact remains that Cash Van was not sent. As for the statement that no request was made for the Cash Van, it is a blatant white lie. A written request was made and the receipt of the request for the cash Van has been annexed with the petition. However, the same is being annexed herewith this affidavit also as Annexure No.2.

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- 4 -

8 Regarding the charge that the petitioner should not have carried Rs.50,000/- in the disturb circumstances at the risk of life, it is a peculiar logic. The deponent of the affidavit has admitted that the petitioner carried the cash at the risk of his life. Admittedly therefore, the petitioner risk his life for the safety of the Government cash. This admission has raised a very important point before this Hon'ble court whether the humble petitioner should be rewarded for his loyalty to the duty and extra ordinary carriage or he should be punished for the same.

8. That regarding the contents of para 6 (ii) the petitioner submits very respectfully that it is only trying to twist the facts. It is respectfully submitted that how and under what circumstances altercation occurred is not very important. It is also not very important whether the petitioner wanted signature on two challans and one challans, the important fact was that cash of 50,000/- was to be deposited and was ~~being~~ refused. The allegations that the petitioner abused the cashier is wholly wrong and malicious. With these submissions the contents are denied being absolutely false from the fact.

9. That the claim of the deponent that the telegram was recieved on 16.8.90 is not important

9/2/91

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- 5 -

because the petitioner could only send it in time. The enquiry report etc. have not been submitted is a fact, the reasons for the same are not very important.

10. That the contents of para 6(iii) are admission of the contents of the relevant para of the petition. The deponent of the counter-affidavit admits that Rs.200/- were short and was deposited by the petitioner. It is most humbly submitted that under what circumstances this shortage occurred is not very important.

11. That the contents of para 6(iv) and 7 are admission that ordinarily of the post of a Post Master should be held for a period of four years. The petitioner, in his petition has not claimed and could not claim that he could not be transferred within a period of four years. Transfers on administrative exigencies can at any time be made ~~what~~ but it is most respectfully submitted that it is a punishment and with a malicious intent, the Hon'ble court has power to curtail it with its own hand. In this case, it is respectfully submitted that the transfer has not been made on administrative exigencies. A punishment has been awarded to the petitioner for his loyalty and adherence to duty and therefore, it is one of the fittest case, in which the Hon'ble court is required to interfere.

12. That the contents of para 5(b) stands already

9/19/46

Page 11/13

replied in earlier paras.

13. That the contents of para 5(c) and (d) have also been replied earlier a much detail.

14. That the contents of para 8 also stands replied with documentary proves.

15. That the contents of para 9 need no comment

16. That the contents of para 10, 11 and 12 are not admitted, the petition is full of merit and deserves to be allowed.

ADDITIONAL PLEAS.

19-2-1991

17. That it is most respectfully submitted that even a Bird's eye perusal of the counter, it will become manifestly clear that the opposite party have admitted the fact of the case. They have only tried to give it twist to the accident but have miserably failed.

Lucknow; Dated  
19-2-1991.

2-1 Per  
Deputy  
Deponent.

Deponent

Verification.

I, the above named deponent do hereby verify that the contents of paras 1 to 17 are true to my personal knowledge and paras are based on record and paras are based on legal

Sub-Post Master

Sub-Post Master  
Victoria, and P. O.  
Exhibition 1884

15/11/84  
W. B. P. M.

W. B. P. M.  
N. C. 11/10 01/13/90

Kindly come to  
see long for  
carry hand car  
to the car shop for  
to the car shop.



Copy to the car shop  
13/10/84



W. B. P. M.

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तार संचार विभाग  
DEPARTMENT OF TELECOMMUNICATIONS  
महादेशीय तार/Inland Telegram

2017  
Date Stamp

पृष्ठ ७/१०

१ श्री चन्द्र प्रकाश प्रवर डा० अलीशक लखनऊ

२ श्री कमलेश चन्द्र रिजनल हाइरेक्टर पोस्ट लखनऊ

३ श्री एस० आर० फारूकी सीफ पोस्ट जनरल लखनऊ

सदस्य तार जे २१०/१३/८/९० प्रकर डाक अकांशक  
लखनऊने असामाजिक प्रभाव/दबावसे उल्टी  
कार्रवाई करके गूरकानूनी रूपसे पापी का  
दोसियार विकटा रिजागुज डाक पुरे करा दिया है

S. K. Printers Ltd.

विनय विभा बाज

१७/५/६०

१९५०

CONFIDENTIAL

ASO 14/11

सेवा में

प्रवर डाक अधीक्षक, महोदय  
लखनऊ प्रखंड, लखनऊ।

विषय-

चिक्टोरियागंज उप डाकघर से स्थानान्तरण के विरुद्ध अपील :-

श्रीमान,

प्राची कीपोस्टिंग उप डाकघर चिक्टोरियागंज के स्थ में गत वर्ष मई, 1989 में हुई थी जो कि चार वर्षीय टेन्योर पोस्ट है। वर्तमान प्रवर डाक अधीक्षक द्वारा प्रशासनिक आधार देकर एक व्यवस्थित क्वॉन्टर के तहत उक्त आदेश निरस्त करके प्राची को राजेन्द्र नगर डाकघर में डाक स्थापक के स्थ में स्थानान्तरित कर दिया गया जो कि सर्वथा नियम, विधान के विरुद्ध है।

घटना के प्रति निवेदन है कि प्राची को दिनांक 13-8-90 को कैशेलारी न आने पर मजबूरन अपने स्थापक के साथ प्रधान डाकघर चौक में पचास हजार रुपये केश लेकर खजाने जाना पड़ा था। यतः करील डिप्टी पोस्ट मास्टर ने सभी खजानियों को केश लेने से मना कर दिया। केश कटवाने जान से मारने के लिए प्राची का हाथ पकड़कर खजाने से बाहर घसीटने लगे। घटने में उसके साथी शिवनाथ खजाने के अंदर आकर प्राची की नाक पर जबरदस्त धोस मारे। गम्भीर चोट से, रक्तस्राव होने पर शिवनाथ ने सारे केश छीन लिये और बाद में जमीन पर पटक दिये जो गिनने में दो सौ रुपये कम पाये गये जिसे प्राची को जब से मरना पड़ा। इसी तरह केश समेट, कुमालकर, प्राची ने उच्चाधिकारियों तार द्वारा स्थिति सूचित कर दिया। तथा निदेशक महोदय के आदेश पर 9.00 बजे रात को केश रिसीव किया गया। घटना की स्पष्ट आई.आर. चौक कोतवाली में दर्ज कराने के बाद बलरामपुर चिकित्सालय में चोटों का गुआयना, बंधी करा दी। इनके अपराधिक कृत्यों को दण्ड के लिए पर्याप्त आधार पर इस खारनाक मामले को नया मोड़ देकर प्राची का चिक्टोरियागंज डाकघर से स्थानान्तरण कर दिया है।

प्राची

कृपया प्रवर डाक अधीक्षक लखनऊ के इस आदेश को निरस्त करने की कृपा करते हुये प्राची की सेवा चिक्टोरियागंज डाकघर के लिए बहाल करें।

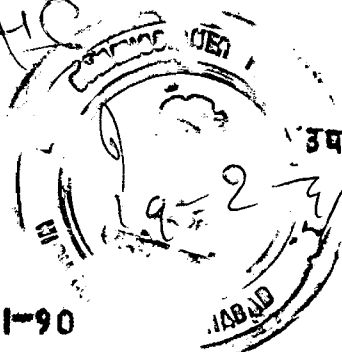
प्राची,

नारायण सिंह

उप डाकघर, चिक्टोरियागंज,  
डाकघर, लखनऊ।

संलग्नक :- 3

दिनांक :- 29-10-90/07-11-90



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सेवा में,

श्रीमान् निदेशक, डाक सेवार

लखनऊ ।

कार्यालय चीफ, महाध्या, डाक लखनऊ-226001

विषय-

चिक्टोरियागंज उप डाकघर से स्थानान्तरण के विरुद्ध अपील :-

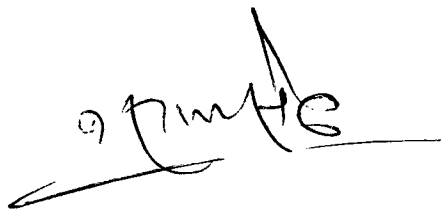
श्रीमान्,

प्राची कीपोस्टिंग उप डाकघर चिक्टोरियागंज के स्थ में गत वर्ष मई, 1989 में हुई थी जो कि चार वर्षीय टेन्योर पोस्ट है । वर्तमान प्रचार पीक अधीक्षक द्वारा प्रशासनिक आधार लेकर एक व्यवस्थित षडयन्त्र के तहत उक्त आदेश निरस्त करके प्राची को राजेन्द्र नगर डाकघर में डाक सहायक के स्थ में स्थानान्तरित कर दिया गया जो कि सर्वथा नियम, विधान के विरुद्ध है ।

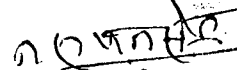
घटना के प्रति निवेदन है कि प्राची को दिनांक 13-8-90 को केशलारी न जाने पर मजबूरन अपने स्टोफ के साथ प्रधान डाकघर चौक में पचास हजार रुपया केश लेकर खजाने जाना पड़ा था । यतः ही 0 करील " डिप्टी पोस्ट मास्टर ने सभी खजानियों को केश लेने से मना कर दिया । केश कटवाने जान से मारने के लिए प्राची का हाथ पकड़ कर खजाने से बाहर घसीटने लगे । इतने में उसके साथी शिक्नाथ खजाने के अंदर आकर प्राची की नाक पर जबरदस्त धुसे मारे । गम्भीर चोट से, रक्तस्राव होने पर शिक्नाथ ने सारे केश छीन लिये और बाट में जमीन पर पेर दिये जो गिनने में दो सौ रुपये कम पाये गये जिसे प्राची को जब से भरना पड़ा । किसी तरह केश समेट, सम्भालकर, प्राची ने उच्चाधिकारियों तार द्वारा स्थिति सूचित कर दिया । तथा निदेशक महोदय के आदेश पर 9.00 बजे रात को केश रिस्तीत किया गया । घटना की एचआईआर चौक कोतवाली में दर्ज कराने के बाद बलरामपुर चिकित्सालय में चोटों का मुआयना, जर्ज करा दी । इनके अपराधिक कृत्यों को दफने के लिए तर्जगत आधार पर इस खतरनाक मामले को नया मोड़ देकर प्राची का चिक्टोरियागंज डाकघर से स्थानान्तरण कर दिया है ।

प्रार्थना

कृपया प्रचार डाक अधीक्षक लखनऊ के इस आदेश को निरस्त करने की कृपा करते हुये प्राची की सेवा चिक्टोरियागंज डाकघर के लिए बहाल करें ।



प्राची,

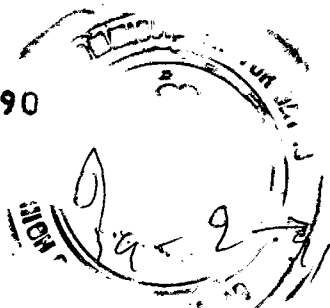


। नारायण सिंह ।

उप डाकघर, चिक्टोरियागंज,  
डाकघर, लखनऊ ।

संलग्नक :- 3

दिनांक :- 25-10-90/07-11-90





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A/49

सेवा में,

श्रीमान् वीप, डाक महाध्याय महोदय,  
लखनऊ, 1 226001

विषय- विक्टोरियागंज उप डाकघर से स्थानान्तरण के विरुद्ध अपील :-

श्रीमान्,

प्राथी की पोस्टिंग उप डाकपाल विक्टोरिया गंज के रूप में गत वर्ष मई, 1989 में हुई थी जो कि चार वर्षीय टेन्योर पोस्ट है। वर्तमान प्रवर डाक अधीक्षक द्वारा प्रशासनिक आधार देकर एक व्यवस्थित क्वॉन्टर के तहत उक्त आदेश निरस्त करके प्राथी को राजेन्द्र नगर डाकघर में डाक सहायक के रूप में स्थानान्तरित कर दिया गया जो कि सर्वथा नियम, विधान के विरुद्ध है।

घटना के प्रति निवेदन है कि प्राथी को दिनांक 13-8-90 को कैश्लारी न आने पर मजबूरन अपने स्टाफ के साथ प्रधान डाकघर चौक में पचास हजार रूपया केश लेकर खजाने जाना पड़ा था। यहाँ करील डिप्टी पोस्ट मास्टर ने सभी खजानियों को केश लेने से मना कर दिया। केश कटवाने जान से मारने के लिए प्राथी का हाथ पकड़कर खजाने से बाहर घसीटने लगे। इतने में उसके साथी शिवनाथ खजाने के अंदर आकर प्राथी की नाक पर जबरदस्त घुसे मारे। गम्भीर चोट से, रक्तस्राव होने पर शिवनाथ ने सारे केश छीन लिये और बाट में जमीन पर पेक दिये जो गिनने में दो सौ रुपये कम पाये गये जिसे प्राथी को जब से भरना पड़ा। किसी तरह केश सभेद, सभालकर, प्राथी ने उच्चाधिकारियों तार द्वारा स्थिति सूचित कर दिया। तथा निदेशक महोदय के आदेश पर 9.00 बजे रात को केश रिसीव किया गया। घटना की स्प-आई-आर-चौक कोतवाली में दर्ज कराने के बाद बलरामपुर चिकित्सालय में चोटो का मुआयना, जर्ज करा दी। इनके अपराधिक कृत्यों को दफने के लिए वर्गगत आधार पर इस खतरनाक मामले को नया मोड़ देकर प्राथी का विक्टोरिया गंज डाकघर से स्थानान्तरण कर दिया है।

**प्राथी**

कृपया प्रवर डाक अधीक्षक लखनऊ के इस आदेश को निरस्त करने की कृपा करते हुये प्राथी की सेवा विक्टोरियागंज डाकघर के लिए बहाल करें।

*(Handwritten signature)*

प्राथी,

*(Handwritten signature)*

नारायण सेठ

उप डाकपाल, विक्टोरियागंज,  
डाकघर, लखनऊ।

संलग्नक :- 3

दिनांक :- 25-10-90/07-11-90

*(Circular stamp with handwritten text)*  
9-2-91

Before the Hon'ble Central Administrative Services  
Tribunal Circuit Bench, Lucknow.

M. P. No. 239/91 (4,  
Claim Petition No. 391 of 1990.

Narain Seth.

... Claimant.

Vs.

The Union of India and others. ... Opp. Parties.

F.F. 25.4.1991

The humble applicant most respectfully  
begs to submit as under;—

1. That the aforesaid petition concerns the case of the illegal transfer of the applicant which is under challenge. The Hon'ble Tribunal will not pass any interim order hoping that the petition would be finally disposed off within a short time.
2. That affidavits by the parties have been exchanged and the case is ripe for final disposal.
3. That the counsel of the applicant Sri S.H. Shukla, Advocate met Hon'ble Mr. Justice D.K. Agarwal

ASB

8/50

Filed today  
25/4/91

in his lordship chamber yesterday i.e. on 24.4.1991 and requested his lordship to keep the case either for Friday the 26th or in the earliest week when the bench sits.

4. That his lordship Hon'ble Mr. Justice D.K. Agarwal was pleased to observe that if possible, it will be kept for Friday, 26th failing which, it will be listed in the week beginning 6th of May, 1991.

It is, therefore, requested that the case may be listed for final disposal according to the observation of his lordship Hon'ble Mr. Justice D.K. Agarwal.

Lucknow; Dated

25.4., 1991.

( S.N. Shukla )

Advocate,

Counsel for the Applicant.